

Eligibility Policy Handbook

Revision 2

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Introduction

The content of this procedural handbook is equivalent to [WorkSource System Policy 1019, Revision 2](#). This handbook serves as the vehicle for implementing and managing eligibility policy changes.

This handbook provides guidance to staff and partners concerning eligibility requirements for the youth, adult and dislocated worker programs under WIOA Title I and Wagner-Peyser Act under WIOA Title III. Specific components of this handbook provide guidance and minimum requirements for local parameters and definitions to be established by Local Workforce Development Boards (LWDBs) as outlined in Section 3.d (Local Responsibilities) of WorkSource System Policy 1019, Change 2.

Sections 2, 3 and 4 cover program eligibility requirements for the WIOA Title 1 youth, adult and dislocated worker programs. Specific parameters and guidance are provided in the subsequent sections under each program. Section 5 covers additional guidance that applies to multiple (though not necessarily all) programs.

The [Eligibility Matrix](#) in Section 6 serves as a tool to review eligibility requirements for each program, including the corresponding documentation requirements.

NOTE: This handbook is available as a [Word document](#) to enable LWDBs to modify and implement it in place of existing local policies. To preserve the format and readability of this PDF document, only the Word version is formatted to more clearly identify areas that need to be modified at the local level. These sections are clearly identified and highlighted in the Word version. Refer to Section 3.d of this policy to see a list of local responsibilities that correspond to the sections of this handbook.

NOTE: The Eligibility Policy Handbook is based on the best information available at this time per WIOA law, proposed rules, and DOL/ETA guidance. The handbook will be revised and reissued after the WIOA final rules are issued and as relevant DOL/ETA guidance is received. Compliance with the state's eligibility policy will be based on the version of the handbook in effect at the time of the action or activity that may be at issue.

Definitions

In addition to the definitions below, LWDBs may choose to incorporate local definitions consistent with this policy and handbook. Additional definitions may address required local determinations (e.g., stop gap, unlikely to return, low-income, etc.) as outlined in Section 3.d (Local Responsibilities) under this policy and/or these determinations can be incorporated throughout this handbook or other local policy documents.

- **Case Notes** – For the purpose of Data Element Validation (DEV), case notes refer to either paper or electronic statements by staff that identify, at a minimum, the following: a participant's status for a specific data element, the date on which the information was obtained, and the staff who obtained the information ([TEGL 06-14 – Attachment A](#)).
- **Covered Person (for Priority of Service)** – A veteran or his or her eligible spouse.
- **Cross-Match** – For the purpose of DEV, a cross-match requires validating staff to find detailed supporting evidence for the data element in a database ([TEGL 06-14, Attachment A](#)).
- **Data Element Validation (DEV)** – The federally mandated process by which the state annually assesses the accuracy of reported participant data (refer to [WorkSource System Policy 1003, Revision 1](#) and [TEGL 06-14 – Attachment A](#)).
- **Eligible Spouse (of a Veteran)** – The spouse of any of the following (JVA Section 2(a)):
 - (1) Any veteran who died of a service-connected disability;
 - (2) Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - (i) missing in action;
 - (ii) captured in line of duty by a hostile force; or
 - (iii) forcibly detained or interned in the line of duty by a foreign government or power;
 - (3) Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs; or
 - (4) Any veteran who died while a disability, as indicated in paragraph (3) of this section, was in existence.
- **Self-Attestation** – Self-attestation (also referred to as a participant or applicant statement) occurs when a participant (applicant) states his or her status for a particular data element, such as pregnant or parenting youth, and then signs and dates a form acknowledging this status. The key elements for self-attestation are: (a) a participant (applicant) identifying his or her status for a permitted data element and (b) signing and dating a form attesting to this self-identification (with a disclaimer concerning the self-identification). Refer to [Section 7](#) of this handbook.
- **State MIS** – For the purpose of DEV, State MIS refers to specific, detailed information that is stored in the state's information system that supports a data element ([TEGL 06-14 - Attachment A](#)).

- **Veteran** – For the purpose of providing Priority of Service (using the broad definition) and Dislocated Worker eligibility, veteran means a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2). Active service also includes full-time duty in the National Guard or a Reserve component, other than full time duty for training purposes.

References:

- [Public Law 113-128, Workforce Innovation and Opportunity Act of 2014](#)
- [WIOA Notice of Proposed Rule Making: Joint Rulemaking on Unified and Combined Plan, Performance and Accountability, and One-Stop Delivery Center](#)
- [WIOA Notice of Proposed Rule Making: Notice of Proposed Rulemaking on Title I and Title III programs](#)
- [Jobs for Veterans Act \(JVA\)](#)
- [Training and Employment Guidance Letter \(TEGL\) 22-04](#)
- [Training and Employment Guidance Letter \(TEGL\) 22-04, Change 1](#)
- [Training and Employment Guidance Letter \(TEGL\) 17-05](#)
- [Training and Employment Guidance Letter \(TEGL\) 10-09](#)
- [Training and Employment Guidance Letter \(TEGL\) 11-11 Change 2](#)
- [Training and Employment Guidance Letter \(TEGL\) 9-12](#)
- [Training and Employment Guidance Letter \(TEGL\) 11-12](#)
- [Training and Employment Guidance Letter \(TEGL\) 06-14](#)
- [Training and Employment Guidance Letter \(TEGL\) 23-14](#)
- [Training and Employment Guidance Letter \(TEGL\) 03-15](#)
- [Training and Employment Guidance Letter \(TEGL\) 08-15](#)
- [WorkSource System Policy 1003 Revision 1 - Data Element Validation](#)
- [WorkSource System Policy 1009 Revision 1 - Priority of Service for Veterans and Eligible Spouses](#)
- [WorkSource System Policy 1019, Revision 1 - Eligibility Guidelines and Documentation Requirements](#)
- [WIOA Title I Policy 5404 Revision 1 - Records Retention and Public Access](#)
- [WorkSource Information Notice \(WIN\) 0027 Change 2 - WIA001 Report and Discontinued Use of UI Guide Screens](#)
- [WorkSource Information Notice \(WIN\) 0041 - Address Confidentiality Program](#)

1. Alignment of Wagner-Peyser and WIOA Title I Services

1.1. Purpose

The underlying notion for the One-Stop system is the coordination of fully integrated programs, services and governance structures so that a job seeker has access to a seamless system of workforce investment services. This intent is accomplished by establishing career services that are consistent across federally funded workforce development programs. In addition, DOL/ETA has furthered its integration efforts by establishing common performance metrics ([TEGL 17-05](#)) and developing an integrated performance reporting system (WISPR).

States and local areas are encouraged to utilize common intake, case management, and job development systems in order to take full advantage of the One-Stop potential for efficiency and effectiveness. WIOA Title I programs and Wagner-Peyser are mandated to provide the same set of career services found at WIOA Section 134(c)(2)(A). There is a natural alignment of service delivery under Wagner-Peyser since all individuals are eligible for these services.

NOTE: Personal records of WIOA registrants will be private and confidential, and will not be disclosed to the public. Refer to WIOA Title I Policy 5403 and [RCW 50.13](#) for additional guidance on data privacy and security.

1.2. Career Services

There are three types of career services: basic, individualized, and follow-up. There is no sequence requirement for these services. They can be provided in any order to provide flexibility in targeting services to the needs of the customer. Section 4 in [TEGL 03-15](#) identifies the services that fall under the basic, individualized, and follow-up categories.

Per proposed 20 CFR 680.120 and 680.130 and TEGL 03-15, individuals 18 years of age or older who are registered, meet the eligibility criteria for, and are enrolled in either the WIOA adult or dislocated worker programs are eligible to receive career services.

Staff-assisted Wagner-Peyser labor exchange services fall under the category of Basic Career Services and must be provided in coordination with other one-stop center partners. Wagner-Peyser staff can also provide Individualized Career Services in coordination with other one-stop center partners. Although Labor Exchange services are available to all individuals, only those who are legally entitled to work in the U.S. can obtain employment. To ensure that individuals who apply or are referred are legally entitled to work in the U.S., SKIES and SSMS (or their successors) registration require customer attestation to legal entitlement to work in the U.S.

In addition to universal access under Labor Exchange, basic career services can be provided universally with WIOA Title I funding. Individuals must be registered, determined eligible and enrolled to receive WIOA Title I funded, staff-assisted career services beyond self-service or informational activities. These services are offered under WIOA Title I (in addition to Wagner-Peyser) to ensure seamless service delivery in the One-Stop Center to

minimize referrals and to ensure leveraging of resources between programs.

Per proposed 20 CFR 680.110, self-service and informational activities are services made available and accessible to the general public that are designed to inform and educate individuals about the labor market and the range of services appropriate to their situation, and that do not require significant staff involvement with the individual in terms of resources or time. Both can be provided before registration and neither constitutes enrollment as neither is formally recognized as a staff-assisted WIOA service. [TEGL 17-05](#) clarifies that “significant staff involvement” includes staff’s assessment of a participant’s skills, education or career objectives to assist the participant in making a decision or accessing information as opposed to staff providing a participant with readily-available information that does not require an assessment.

NOTE: This policy covers basic eligibility requirements for Wagner-Peyser, including priority of service requirements for Covered Persons (using the broad definition of veteran – see [Section 5.3](#)). For verification of veteran status, the Wagner-Peyser program has specific requirements. For a complete overview of services for veterans (using the standard definition) under Wagner-Peyser, including verification of eligibility for these services, please refer to [Services for Veterans – 4030](#).

All Wagner-Peyser funded services must be provided by state merit staff as per proposed 20 CFR 652.215 and [TEGL 11-12](#).

1.3 Training Services

Training services are funded and provided to jobseekers under the WIOA Title I programs. Individuals provided training services funded by WIOA Title I must be registered, determined eligible and in need of additional service beyond career services to obtain or retain employment per proposed 20 CFR 680.210.

As part of the aforementioned eligibility process, individuals must receive, *at a minimum*, an interview, evaluation or assessment and career planning or other means by which eligibility for WIOA-funded training services can be determined (proposed 20 CFR 680.220 and TEGL 03-15).

Per WIOA Section 134(c)(3)(A)(iii), proposed 20 CFR 680.220, and TEGL 03-15, there is no requirement that career services first be provided as a condition of receiving training services. However, if career services are not provided before training, LWDBs must document the circumstances justifying their course of action.

DOL/ETA encourages the referral of Wagner-Peyser recipients to WIOA Title I programs for training services when appropriate ([TEGL 11-12](#)).

2. Youth Program

2.1. Youth Program Requirements

Youth program requirements are distinguished by In-School youth and Out-of-School youth, which have different eligibility requirements.

2.1.1. In-School Youth

Individuals must meet the following eligibility guidelines to be In-School youth:

- U.S. citizen or otherwise legally entitled to work in the U.S.;
- Attending school as defined by state law;
- Age 14 through 21;
- Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see [Section 5.2](#) for guidance on Selective Service registration).
- Low income individual (see [Section 2.3](#) for guidance on exceptions); and
- One or more of the following:

Category 1	Basic skills deficient
Category 2	An English language learner
Category 3	An offender
Category 4	A homeless individual (as defined in Section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in Section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of foster care system, a child eligible for assistance under Section 477 of the Social Security Act (42 U.S.C. 677), or in an out of home placement
Category 5	Pregnant or parenting
Category 6	A youth who is an individual with a disability
Category 7	An individual who requires additional assistance to complete an educational program or to secure or hold employment ¹

¹ Per proposed 20 CFR 681.300, LWDBs that use Category 7 to determine in-school eligibility must establish a local policy that defines “requires additional assistance to complete and educational program or to secure or hold employment” criterion and documentation requirements ([WorkSource System Policy 1019, Revision 2](#) - Section 3.d - Local Responsibilities). Refer to [Section 6](#) for an overview of eligibility criteria and documentation requirements.

2.1.2. Out-of-School Youth

Individuals must meet the following eligibility guidelines to be Out-of-School youth:

- U.S. citizen or otherwise legally entitled to work in the U.S.;
- Not attending school as defined by state law¹;
- Age 16 through 24;
- Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see [Section 5.2](#) for guidance on Selective Service registration); and
- One or more of the following:

Category 1	A school dropout ²
Category 2	A youth who is within the age of compulsory school attendance ³ , but has not attended school for at least the most recent complete school year calendar quarter
Category 3	A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual <u>and</u> is basic skills deficient <u>or</u> an English language learner
Category 4	An individual who is subject to the juvenile or adult justice system
Category 5	A homeless individual (as defined in Section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in Section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of foster care system, a child eligible for assistance under Section 477 of the Social Security Act (42 U.S.C. 677), or in an out of home placement
Category 6	Pregnant or parenting
Category 7	A youth who is an individual with a disability
Category 8	A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment ⁴

¹ The state's dropout reengagement program authorized under [RCW 28A.175.100](#) provides educational opportunities and access to services to older youth ages 16 to 21 who have dropped out of high school or are not accumulating sufficient credits to reasonably complete a high school diploma in a public school before the age of 21 and are *unlikely to re-engage in education by re-enrolling in a traditional or even alternative high school*. While related [RCW 28A.175.110](#) states that youth in this program are regularly enrolled students of the school district in which they are enrolled, the State finds that the intent of enrollment was to allow schools with dropout reengagement programs authorized under RCW 28A.175.100 to use basic education funds to serve dropouts and that youth in this program are not attending school as defined under state law for the purposes of WIOA eligibility determinations.

² Per WIOA Section 3(54), the term "School Dropout" means an individual who is no longer attending any school and who has not received a secondary school diploma or its

recognized equivalent.

³ Per RCW 28A.225.010, the age of compulsory school attendance in Washington is eight (8) years of age to under 18 years of age. For the purpose of WIOA out of school youth, that encompasses 16-17 year olds.

⁴ Per proposed 20 CFR 681.300, LWDBs that use Category 8 to determine out-of-school eligibility must establish a local policy that defines the “requires additional assistance to complete an educational program or to secure and hold employment” criterion and documentation requirements ([WorkSource System Policy 1019, Revision 2](#) - Section 3.d - Local Responsibilities). Refer to [Section 6](#) for an overview of eligibility criteria and documentation requirements.

2.2. Additional Definitions of Low Income

Utilizing the definition of low-income at WIOA Section 3(36), LWDBs can make local determinations regarding income verification and what is included or excluded as income ([WorkSource System Policy 1019, Revision 2](#) - Section 3.d - Local Responsibilities).

WIOA Section 129(a)(2) states that low-income additionally includes youth living in high-poverty areas with proposed 20 CFR 681.260 defining a high-poverty area as a Census tract, a set of contiguous Census tracts, Indian Reservation, tribal land, or Native Alaskan Village or county that has a poverty rate of at least 30 percent as set every 5 years using American Community Survey 5-year data.

Proposed 20 CFR 681.250 and 681.270 allow that low-income further includes youth who receive (or are eligible to receive) free or reduced price lunches under the Richard B. Russell National School Lunch Act.

WIOA Section 3(36)(A)(vi) and proposed 20 CFR 681.280 allow that the income eligibility level for youth with disabilities is based on the disabled youths’ own income rather than their family income.

2.3 Exceptions to Youth Eligibility Requirements

Exemption from low-income requirement. In any single program year, no more than 5 percent of a local area’s total youth participants can be those who have a low income eligibility requirement (in-school youth or out-of-school youth in Category 3 or 8), but are not low income. [WIOA Section 129(a)(3)(A)(ii) and proposed 20 CFR 681.250]

Limitation on in-school youth requiring additional assistance. In any single program year, no more than 5 percent of a local area’s total in-school youth participants can be those who require additional assistance to complete an educational program or to secure or hold employment (Category 7). [WIOA Section 129(a)(3)(B)]

2.4 Local Definition of Low Income

Utilizing the definition of low-income at WIOA Section 3(36), LWDBs can make local determinations regarding income verification and what is included or excluded as income ([WorkSource System Policy 1019, Revision 2](#) - Section 3.d - Local Responsibilities).

3. Adult Program

3.1. Adult Program Requirements

Individuals must meet the following eligibility criteria for the adult program:

- U.S. citizen or otherwise legally entitled to work in the U.S.;
- Age 18 or older; and
- Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see [Section 5.2](#) for guidance on Selective Service registration).

For an overview of eligibility criteria and documentation requirements refer to [Section 6](#).

3.2. Priority for Services under the Adult Program

Priority selection is established for and local areas must target certain populations in accordance with WIOA Section 134(c)(3)(E) and proposed 20 CFR 680.600 and 20 CFR 680.640. These targeted populations must first meet the eligibility requirements for the adult program.

The matrix below describes the order and rationale for prioritization based on the requirements in WIOA Section 134(c)(3)(E), proposed 20 CFR 680.600, proposed 20 CFR 680.640, and [TEGL 10-09](#). For purposes of this section, the term “covered person(s)” refers to veterans and eligible spouses per priority of service for veterans.

Priority requirements for the WIOA Title I adult program are as follows:

Priority	Mandatory Priority Group	Explanation
First	Covered persons (veterans and eligible spouses) who are low income, recipients of public assistance, or basic skills deficient.	Guidelines for serving covered persons (WorkSource System Policy 1009 Revision 2 – Priority of Service) apply within the mandatory priority criteria of low-income / public assistance recipient.
Second	Individuals (non-covered persons) who are low-income (may include unemployed individuals), recipients of public assistance, or basic skills deficient.	The mandatory priority criteria (low-income / public assistance recipients / basic skills deficient) have preference over covered persons (veterans and eligible spouses) who do not meet the mandatory priority criteria.
Third	Covered persons (veterans and eligible spouses) who are	Guidelines for serving covered persons (WorkSource System Policy 1009 Rev. 2

	<u>not</u> low- income and <u>not</u> basic skills deficient.	– Priority of Service) apply in the third category (individuals who are not low-income / public assistance recipients / basic skills deficient).
Fourth (optional)	LWDBs (in consultation with CLEOs) may establish additional priority groups for priority for services beyond minimum adult eligibility (WorkSource Policy 1019, Revision 2 - Section 3.d – Local Responsibilities).	

NOTE: An adult with a disability can be considered a family of one for low-income determinations (refer to Section 5.6.2).

According to proposed 20 CFR 680.120, 680.130, and 680.210, the above priority requirements do not necessarily mean that only the recipients of public assistance and other low-income individuals can receive WIOA adult funded career and training services. LWDBs may serve other eligible individuals who are not recipients of public assistance, other low-income, or basic skills deficient after first serving eligible individuals who meet the established priority selection criteria. Unemployed individuals may be considered low-income individuals (refer to Section 5.6.1).

Priority Selection for Career Services and Training Services Funded with WIOA Statewide (10%) Discretionary Grants/Contracts

For purposes of WIOA statewide (10%) discretionary funds, the Governor has determined that these funds will be prioritized as follows:

1. Eligible veterans and spouses;
2. Unemployed individuals;
3. Low-income individuals;
4. Other Washington job seekers.

As indicated by the first priority, recipients of WIOA 10% discretionary grants and contracts will continue to provide priority selection of veterans for career and training services as required under P.L. 107- 288 “Jobs for Veterans Act” and in alignment with [WorkSource System Policy 1009 Revision 2](#). In applying this policy to 10% funded projects, veterans who are unemployed and/or low-income, have priority over all other individuals served under these projects.

4. Dislocated Worker Program

4.1 Dislocated Worker Program Requirements

Individuals must meet the following eligibility guidelines for the Dislocated Worker Program:

- U.S. citizen or otherwise legally entitled to work in the U.S.;
- Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see [Section 5.2](#) for guidance on Selective Service registration); and
- One of the Dislocated Worker categories (see [table](#) below).

NOTE: For an overview of eligibility criteria and documentation requirements refer to [Section 6](#).

The matrix on the following page is meant to provide clarity on the requirements within each Dislocated Worker category. Military Service Members (Category 5) and Spouses of Dislocated Military Service Members (Category 6) have been included as individual categories to allow for specificity, though it is commonly understood that these categories fall under the General Dislocation category (1). Refer to [Section 5.7](#) for guidance related to the impact of Washington's Marriage Equality Act.

Dislocated Worker Eligibility Criteria

Category	Criteria	
1. General Dislocation	<input type="checkbox"/>	1.1 An individual who was terminated, laid off, or received a notice of termination or layoff. AND
	<input type="checkbox"/>	1.2 Is determined unlikely to return to previous industry or occupation (defined by LWDBs); AND
	<input type="checkbox"/>	1.3.1 Is eligible for or has exhausted entitlement to unemployment compensation; OR <input type="checkbox"/> 1.3.2 Is not eligible for unemployment compensation but can show attachment to the workforce of sufficient duration.
2. Dislocation from Facility Closure / Substantial Layoff	<input type="checkbox"/>	2.1 An individual who was terminated, laid off, or received a notice of layoff from employment at a plant, facility, or enterprise as a result of: Permanent closure; or Substantial layoff; OR
	<input type="checkbox"/>	2.2 An individual employed at a facility at which the employer has made a general announcement that the facility will close within 180 days.
3. Self-employed Dislocation	<input type="checkbox"/>	Was self-employed (including employment as a farmer, rancher or a fisherman), but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters.
4. Displaced Homemaker * * Per TEGL 26-13, individuals cannot cite long-term partners to whom they were not married as family members. Individuals can cite adult children upon whom they were financially dependent as family members so long as it is appropriately documented.	<input type="checkbox"/>	4.1 An individual who was dependent on the income of another family member and is no longer supported by the income of that family member; OR Is the dependent spouse of a member of the armed forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, or a service connected death or disability of the member AND
	<input type="checkbox"/>	4.2 Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
5. Dislocated/ Separating Military Service Members	<input type="checkbox"/>	5.1 A non-retiree military service member who was discharged or released from service under other than dishonorable, or has received a notice of military separation (defined by LWDB (see Section 4.2.1). Per proposed 20 CFR 680.660, separating military service members automatically qualify as unlikely to return to a previous industry or occupation and as eligible for or exhausted entitlement to Unemployment Insurance. Note: Dislocated military service members, veterans and other covered persons are eligible for Priority of Service (POS) as described in POS Policy 1009, Revision 1.
6. Spouses of Military Service Members	<input type="checkbox"/>	6.1 The spouse of a member of the armed forces on active duty, and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; OR
	<input type="checkbox"/>	6.2 The spouse of a member of the armed forces on active duty and who is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment. Note: a military spouse may also qualify as a displaced homemaker (Category 4).

4.2 Serving Non-Retiree Military Service Members and their Spouses

4.2.1 Non-Retiree Military Service Members (Dislocated Worker – Category 5)

Refer to [Section 6](#) for a breakdown of eligibility criteria and documentation requirements. A military service member who is separated from military service under conditions other than dishonorable, or who receives a notice of future separation, may be eligible under the WIOA Dislocated Worker program based on the “termination” criteria. This may include National Guard or Reserve members who have been discharged from active duty service, but not necessarily from other reserve commitments, such as training. Note: Retirement orders do not qualify as “terminated” or “laid off.”

Veterans and other covered persons determined eligible for the Dislocated Worker program are given priority for services according to the Jobs for Veterans Act and WorkSource (see [WorkSource System Policy 1009 Revision 2 – Priority of Service](#)).

The following serves as an outline of Dislocated Worker eligibility criteria as it applies to discharged and separating military service members:

- Section (3)(15)(A)(i): Has been terminated or laid off or received notice of termination or layoff.

[TEGL 22-04](#) states that a discharge from the military under honorable circumstances meets the “termination” criterion. A DD-214 form is the most common documentation used to determine discharge status.

Washington has determined that still-active, transitioning military service members may also qualify for Dislocated Worker services. While these individuals may be *eligible* to receive WIOA Dislocated Worker services and funds, they would not be considered ‘veterans’ for the purposes of DOL reporting.

For the purposes of serving still-active transitioning service members under the “notice of termination or layoff” eligibility criterion, documentation must align with the DEV requirement for “Date of Actual Qualifying Dislocation” (refer to Handbook [Section 6](#)).

LWDBs must also establish a designated time frame (prior to planned separation) during which service members can receive Dislocated Worker services ([WorkSource System Policy 1019, Revision 2](#) - Section 3.d - Local Responsibilities). Length of service to qualify an individual for such discharges or separations under WIOA guidance may be as few as one day of service. Qualified individuals can receive services up to twelve months prior to discharge.

4.2.2 Spouses of Military Service Members (Dislocated Worker - Category 6)

Refer to Section 6 for an overview of eligibility criteria and documentation requirements. [TEGL 22-04 Change 1](#) provides clarification and flexibility to serve spouses of military service members (military spouses) under the dislocated worker program. DOL affords local areas significant flexibility to serve military spouses. [TEGL 22-04](#) clarifies that the term

“military spouse” includes individuals who are married to active duty service members (including National Guard or Reserve personnel on active duty) and surviving spouses of active duty service members who lost their lives while on active duty service in combat-related areas (e.g., Afghanistan or Iraq). Refer to [Section 5.7](#) for guidance related to Washington’s Marriage Equality Act.

When the spouse is unable to continue an employment relationship due to the service member’s permanent change of military station, or the military spouse loses employment as a result of the spouse’s discharge from the military, then the separation from employment meets the termination component of the WIOA definition of Dislocated Worker. Eligibility determinations must align with UI policy regarding “good cause” for voluntary quits. Below are two common scenarios that would qualify:

- The spouse of a military service member voluntarily quits because he/she is relocating with the service member to a new duty location.
- The spouse of a military service member is no longer eligible to work on the base as a result of the (military service member’s) discharge.

NOTE: Good cause is **not** found when claimants quit work to relocate someplace other than their military spouse's or domestic partner's new duty location, including relocation to the home of record or elsewhere.

As provided in [TEGL 22-04](#) and [TEGL 22-04 Change 1](#), “termination” of military spouses based on the circumstances described above can be considered to determine “unlikely to return to a previous industry or occupation” to qualify as a dislocated worker.

Determination is a matter of judgment based on relevant circumstances, but in most cases, military spouses impacted by a service member’s duty reassignment or discharge will meet the “unlikely to return to a previous industry or occupation” criterion under WIOA and could be served as dislocated workers.

Military spouses can also be served as dislocated workers if they meet the definitional requirements for displaced homemakers at WIOA Section 3(15)(A)(ii).

4.3 Eligibility for Employed Individuals

Proposed 20 CFR 680.780 states that states and local areas must establish policies and definitions to determine which workers, or groups of workers, are eligible for incumbent worker services (WIOA Section 134(d)(4)). To qualify, incumbent workers need to be employed, meet Fair Labor Standards Act requirements for an employer-employee relationship, and have established employment histories with the employer for 6 months or more. Employed adults are eligible for career services if they are 18 years of age or older and additionally eligible for training services if they are determined to be in need of such services to obtain or retain self-sufficient employment (WIOA Section 134(c)(3)(I)). Washington will use the term “stop-gap employment” when referring to employment that will not lead to self-sufficiency.

LWDBs must set criteria ([WorkSource System Policy 1019, Revision 2](#) - Section 3.d - Local

Responsibilities) to determine whether employment leads to self-sufficiency (WIOA Section 134(c)(3)(I)). The special needs of individuals with disabilities or other barriers to employment should be taken into account when setting criteria to determine self-sufficiency. The following guidance may assist LWDBs in establishing this criteria:

- At a minimum, LWDBs must use the lower living standard income level (LLSIL) defined at WIOA Section 3(36)(A)(ii)(II);
- LWDBs may base the determination on a certain percentage of the wages earned at the time of dislocation; and
- LWDBs can include a definition of temporary employment (e.g. duration) and scenarios where temporary employment alone can verify that employment will not lead to self-sufficiency.

4.4 Stop Gap Employment

Stop-gap employment is temporary work an individual accepts only because they have been laid off from the customary work for which their training, experience or work history qualifies them. Stop-gap employment must be temporary in nature with the intent to end employment upon completion of training, obtaining self-sufficient employment or as specified in the individual employment plan (IEP).

Typically, stop-gap employment will pay less than the individual's wage of self-sufficiency (as defined by the LWDB), however, there may be specific circumstances (determined locally based on local criteria) where stop-gap employment does provide a sufficient wage temporarily but is not considered permanent employment that leads to self-sufficiency. This stop-gap employment would not change the individual's dislocated worker status if it meets the LWDB's criteria.

An otherwise eligible dislocated worker remains eligible if either prior to or during DW participation, stop-gap employment is obtained for the purpose of income maintenance. If dislocation from a stop-gap position occurs, the job of dislocation remains the original job that established the self-sufficient income. If, at any time, an individual obtains employment that meets LWDBs' definition of self-sufficiency, including a scenario where the employment period exceeds LWDB-established criteria for temporary employment, then that position would be considered the self-sufficient job of dislocation in the event of a future dislocation.

5. Additional Program Guidance

5.1 U.S. Citizenship or Legal Right to Work in the U.S.

As outlined in Sections 2.1, 3.1 and 4.1, LWDBs are required to verify U.S. citizenship or legal right to work for all WIOA Title I programs. Self-attestation is the minimum documentation requirement, but LWDBs may choose to require commonly used [I-9 Documentation](#) such as driver's license or ID cards along with Social Security cards. Other documentation may only be used to supplement self-attestation or accepted I-9 documentation.

5.2 Selective Service Requirements

To be eligible to receive WIOA Title I-funded services, all males born on or after January 1, 1960 must present documentation showing compliance with the Selective Service registration requirements or exceptions, or local areas must determine that the failure to register was not knowing and willful. Complete Selective Service registration requirements and exceptions are found in [TEGL 11-11, Change 2](#), including acceptable documentation to determine registration status and procedures for determining whether or not failure to register was knowing and willful.

Additionally, the [Selective Service System Website](#) provides additional information about registration requirements, including the [Who Must Register Quick Reference Chart](#).

Males 25 Years and Under

Before being enrolled in WIOA Title I services, all males who are not registered with the Selective Service and have not reached their 26th birthday must register through the [Selective Service website](#) or provide documentation indicating they are covered by an exception (i.e., serving in the military on full-time active duty or a non-U.S. male on a valid non-immigrant visa). Males turning 18 while participating in WIOA Title I services must complete their Selective Service registration no later than 30 days after turning 18 to continue to receive WIOA Title I services. Males between 18 and 25 years of age who refuse to register with the Selective Service must be suspended from WIOA Title I services until registered.

If a youth fails to provide verification of Selective Service registration within 30 days of his 18th birthday, services must be suspended (i.e. on the 31st day after his 18th birthday). LWDBs must stop providing services to participants who have not met Selective Service registration requirements until the requirements are met.

Males 26 Years and Over

Before enrolling in WIOA Title I services, all males 26 years of age or older must provide (1) documentation of compliance with Selective Service registration requirements; (2) documentation showing they were not required to register; or (3), if they were required to register but did not, documentation establishing that their failure to register was not knowing and willful.

Determining Knowing and Willful Failure to Register

[TEGL 11-11, Change 2](#) provides local areas with detailed information about requesting a Status Information Letter and the process for determining knowing and willful failure to register. The intent of the TEGL is to provide a framework for local areas to make determinations through a local process where determinations are based on the individual circumstances (e.g., questions, considerations, statements, status information letter) and relevant documentation (i.e., documentation that supports the reason for not registering or further supports the belief that it was not knowing or willful). Because circumstances will vary and need to be considered, there is not an established and definitive list of acceptable documentation.

5.3 Priority of Service for Veterans and Eligible Spouses

All WIOA programs and service delivery must align with federal law, regulations, and guidance on Priority of Service. Priority of service entitles eligible veterans or spouses to enrollment and services before eligible non-covered persons. Refer to [WorkSource System Policy 1009 – Priority of Service for Veterans and Eligible Spouses](#) and [TEGL 3-15](#) for additional guidance on Priority of Service. Refer to Section 3.2 for specific guidance on priority for service when funding is limited under the Adult program.

5.4 Assisting Victims of Human Trafficking

This guidance is appropriate for one-stop center staff, especially intake workers and frontline staff who may encounter individuals they believe may be victims of human trafficking. If individuals are under immediate threat and/or state that they are in danger, staff should call 911.

On October 24, 2012, the U.S. Department of Labor (DOL), Employment and Training Administration (ETA) released [TEGL 9-12](#) which provides additional information and updates earlier guidance on the importance of providing workforce training and referral services to victims of human trafficking. Below are instructions and guidelines for staff.

Recognizing the Characteristics of Victims and Referring Individuals to Proper Authorities and Resources

Many victims of trafficking do not self-identify. A role for staff is to recognize the characteristics of potential victims of trafficking and refer them to proper authorities and resources. See [TEGL 9-12](#) Attachments A and B for information on how to identify potential victims of trafficking and a current list of hotlines that one-stop staff can call to get help for potential victims.

Employment and Training Services for Victims of Human Trafficking:

U.S. citizens or lawful residents who are victims of trafficking can receive the same services provided to the general public under WIOA. In addition, under the Traffic Victims Protection Act, certain foreign nationals are also eligible for WIOA Title I services. This includes victims of both a severe form of trafficking in persons and individuals granted a nonimmigrant “T” (trafficking) visa.

To be eligible for WIOA Title I services as a victim of a severe form of trafficking:

- Individuals 18 years of age or older must have been subjected to an act or practice described in the definition of “severe forms of trafficking in persons” and have received a letter of certification issued by the U.S. Department of Health and Human Services (HHS).
- Children under 18 years old who have been subjected to a severe form of trafficking need not be certified by HHS to be eligible for services; instead, HHS issues Letters of

Eligibility to minor victims of trafficking. As with any participant, they must meet all applicable program eligibility requirements to receive WIOA Title I services.

Individuals who are granted “T” visas by the U.S. Department of Homeland Security (DHS) are also eligible for WIOA Title I services. The “T” nonimmigrant status (T visa) is available to individuals who are or have been victims of human trafficking and protects these individuals by allowing them to remain in the United States to assist in an investigation or prosecution of human trafficking.

Employment and training services should be provided to victims of trafficking to the same extent as and following the same procedures and case management processes for other one-stop customers. However, services to victims of trafficking may need to be tailored and adapted to meet the particular needs of this population. For instance, victims of trafficking may have Limited English Proficiency (LEP), criminal records (including from being forced into prostitution), or limited resumes.

Offering Information and Referrals to Other Wrap-Around Services and/or Law Enforcement

In most cases, victims of trafficking will approach one-stop centers toward the end of their rehabilitation process and will have already been working with other federal, state, local or non-profit organizations and agencies. In the event that the victim has not yet received services, it is important for staff to be aware of and utilize local resources and service providers, particularly non-profit organizations that provide services to trafficking victims. Service providers for trafficking victims can also refer or accompany their clients to the nearest one-stop center when they are ready for employment and training services.

A description of available services for victims of trafficking offered either directly by federal agencies or provided by local service providers with funding from the federal government can be found in the document, [Services Available to Victims of Human Trafficking: A Resource Guide for Social Service Providers](#).

5.5 WIA001 Report and Disallowed Use of UI GUIDE Screen Prints

[WIN 0027 Change 1](#) provides information on the use of the *WIA001 – For WIA Eligibility and Claims Data* report and to further clarify that, effective July 15, 2011, unemployment insurance claim screens (UI GUIDE screen prints) should no longer be used to determine program eligibility. Note: This information will be available in Unemployment Tax and Benefit (UTAB) system, which is being developed as the successor to GUIDE. Staff can use printouts of unemployment insurance information provided by UI claimants who have Secure Access Washington (SAW) accounts that allow them to access and view their UI claim information on-line.

5.6 Income Verification and Family Size for the Low-Income Criteria

5.6.1 Income Verification

Unemployed individuals do not automatically meet local parameters regarding low-income. The intent is to prioritize services to individuals based on family income (low-income).

Using the definition of low-income at WIOA Section 3(36), LWDBs make local determinations regarding income verification and what is included or excluded as income ([WorkSource System Policy 1019, Revision 2](#) Section 3.d - Local Responsibilities).

[Section 8](#) of this handbook provides samples of excludable and includable income. To determine whether an individual is low-income under the definition at WIOA Section 3(36), it is also necessary to consider family size and family income.

5.6.2 Determining Family Size

For these purposes, “family” under WIOA means two or more individuals related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A married couple, and dependent children;
- A parent or legal guardian and dependent children; or
- A married couple.

Refer to [Section 5.7](#) for guidance related to the impact of Washington’s Marriage Equality Act.

NOTE: Based on proposed 20 CFR 681.280, even if the family of a disabled individual does not meet the income eligibility criteria, the disabled individual may be considered a low-income individual if their income meets the income criteria of WIOA section 3(36)(A) or 3(36)(B). Disabled individuals would be considered a family of one and only their income considered in determining low-income.

5.6.3 Defining Dependent:

WIOA does not define dependent. To avoid uncertainty in making eligibility decisions regarding family size and income, the State has identified three circumstances where youth must be considered dependents of parents or legal guardians for the purpose of determining family size for WIOA Title I youth and adult program eligibility:

1	Youth not yet 18, who are not emancipated youth nor runaway youth, living “at home” with their parents or legal guardians, including individuals in the temporary care of another individual or household (but not claimed as a dependent by that household)
2	Youth age 18-19 who are full-time students in a secondary school or equivalent and are living “at home” with their parents or legal guardians.
3	Youth age 18-24 who are not full-time students and are living “at home” with their parents or legal guardians and who are primarily supported by their parents.

A legal guardian is a blood relative (e.g., grandparent, aunt or uncle) or other legally

recognized relative (e.g., by decree of the court) who claims the youth as a dependent. The key factors are:

- Relationship by blood or decree of court;
- Living in a single residence; and
- The youth is claimed as a dependent.

If LWDBs choose to identify youth in circumstances 1 and 3 as independent, the definition must be made explicit in local procedures to eliminate any confusion for the purpose of determining family size when making eligibility determinations for the WIOA Title I youth and adult programs ([WorkSource System Policy 1019, Revision 2](#) - Section 3.d - Local Responsibilities).

NOTE: LWDBs have the authority to develop additional criteria consistent with state and federal guidance to help staff determine family size and income for the purpose of determining WIOA Title I youth and adult program eligibility ([WorkSource System Policy 1019, Revision 2](#) - Section 3.d - Local Responsibilities).

5.7 Washington's Marriage Equality Act

Washington's Marriage Equality Act ([RCW 26.60](#)) expands the definition of a "married couple" beyond that of a male and female. Furthermore, in June 2013, the U.S. Supreme Court ruled unconstitutional Section 3 of the federal Defense of Marriage Act. Accordingly, with respect to this policy, the State's definition of a married couple extends beyond that of a male and female.

This expanded definition applies to all WIOA policy guidance and specifically impacts: family size, eligible spouses (Priority of Service), military spouses (Dislocated Worker eligibility), and displaced homemakers (Dislocated Worker eligibility).

6. Eligibility Documentation Requirements

The matrix below provides a comprehensive overview of program eligibility criteria and documentation requirements. The requirements in this matrix outline eligibility criteria and utilize Data Element Validation (DEV) requirements for alignment purposes. There are, however, additional DEV requirements beyond the eligibility documentation requirements described in this matrix, including different DEV requirements for career services. Refer to [WorkSource System Policy 1003 Revision 1](#) and [TEGL 06-14](#) for comprehensive information on the Data Reporting and Validation System (DRVS) and Data Element Validation (DEV) requirements.

Instructions for the eligibility and documentation matrix:

Criteria

This column represents all eligibility components for WIOA Title I Youth, Adult, and Dislocated Worker (DW) categories are listed under criteria, in addition to the components that apply to multiple programs.

Eligibility Requirement

This column includes each program with an indicator in each row if the eligibility criteria applies to the specific program as outlined in Sections 2, 3 and 4 of this handbook.

Documentation Requirement

The corresponding eligibility documentation requirements to the right align with DEV documentation requirements for each eligibility criteria/category. The DRVS number (if the criteria is included under DEV) or other source (if not included under DEV) is listed above each list of documentation. Note: DRVS numbers reflected are subject to change based on issuance of DOL/ETA guidelines for DEV applicable to WIOA.

One document in this column is required for each relevant eligibility criteria/category. Each criteria is connected to one or more potential DRVS lists, but only one document (from the relevant list) is necessary (i.e., low-income and youth category 3 include multiple “options” but only one option is necessary). In addition to the required documentation, LWDBs can supplement this requirement by implementing supplemental documentation requirements ([WorkSource System Policy 1019, Revision 2](#) - Section 3.d - Local Responsibilities).

Self-attestation

The self-attestation column indicates whether or not the corresponding documentation list allows self-attestation. To ensure properly documented customer self-attestation, ESD strongly encourages LWDBs to use the self-attestation forms provided in [Section 7](#) of this Handbook or local versions that are substantially similar. DOL further recommends that staff document the reason for using self-attestation in case notes.

Improperly documented self-attestation or self-attestation on eligibility elements not permitted under federal law or guidance or this policy may result in disallowed costs. Properly documented self-attestation serves as documentary evidence of eligibility determination and does not, by itself, warrant disallowed cost findings. At the same time, properly documented self-attestation does not, by itself, preclude disallowed cost findings if it is determined during monitoring, reviews, or audits that the attestation was false.

	Eligibility Requirement For:						
Criteria	W-P	ISY	OSY	Adult	DW	Documentation Requirement	Self-Attestation
Citizen / Legally Entitled to Work in the U.S.	N/A	✓	✓	✓	✓	<ul style="list-style-type: none"> Self-attestation Accepted I-9 Documentation, such as: driver's license / ID card along with Social Security card. <p>Note: for more information on employment eligibility guidance and alignment with I-9 documentation please see M-274, Instructions for Completing Form I-9</p>	Yes
Age	N/A	✓	✓	✓	N/A	<p><u>DRVS 3 - Date of Birth:</u></p> <ul style="list-style-type: none"> Driver's license; Baptismal record; Birth certificate; DD-214; Report of Transfer or Discharge paper; Federal, state or local ID card; Passport; Hospital record of birth; Public assistance/social service records; School records or ID cards; Work permit; Cross match with Department of Vital Statistics (Department of Health's Center for Health Statistics); Tribal records; or Hard or electronic case notes (noting that staff saw proof of age document) for basic career services only. 	No
Selective Service Registration ¹	N/A	x✓	✓	✓	✓	<p>TEGL 11-11 Change 2:</p> <ul style="list-style-type: none"> Selective Service acknowledgement letter; Form DD-214 "Report of Separation"; Screen printout of the Selective Service Verification site; Selective Service Registration Card; Selective Service Verification (Form 3A); or Stamped Post Office Receipt of Registration. 	No
Low Income ³	N/A	✓	✓	N/A	N/A	<p>DRVS 20, 21, or 22 for Adult.</p> <p><u>DRVS 20 - Low Income:</u></p> <ul style="list-style-type: none"> Alimony Agreement; 	Yes (basic career services only)

					<ul style="list-style-type: none"> • Applicant statement; • Award letter from veteran's administration; • Bank statements; • Compensation award letter; • Court award letter; • Pension statement; • Employer statement/contact; • Family or business financial records; • Housing authority verification; • Pay stubs; • Public assistance records; • Quarterly estimated tax for self-employed persons; • Social Security benefits, or • UI documents (WIA001 Report) <p><u>DRVS 21 - TANF:</u></p> <ul style="list-style-type: none"> • Cross- match with TANF public assistance records • Self-attestation • Hard or electronic case notes (noting that staff saw proof of TANF document) for basic career services only. <p><u>DRVS 22 - Other Public Assistance (State/Local General Assistance, Refugee Cash Assistance, or Food Stamp Assistance) Recipient:</u></p> <ul style="list-style-type: none"> • Copy of authorization to receive cash public assistance • Copy of public assistance check; • Medical card showing cash grant status; • Public assistance records; • Refugee assistance records; or • Cross- match with public assistance database • Self-attestation • Hard or electronic case notes (noting that staff saw proof of public assistance document) for basic career services only. 	
Youth Program – Out-of-	Category 1				<p><u>DRVS 35 - School Status at Participation:</u></p> <ul style="list-style-type: none"> • Self-attestation; 	Yes

School		<ul style="list-style-type: none"> Applicable records from education institution (GED certificate, diploma, attendance record, transcripts, drop out letter, school documentation); WIOA intake or registration form; or State MIS 	
	Category 2	DRVS 35 (refer to list above)	Yes
	Category 3	<u>DRVS 50 - Basic literacy skills deficiency:</u> <ul style="list-style-type: none"> Standardized assessment test(s); School records; or Case notes 	No
	Category 4	<u>DRVS 42 - Offender:</u> <ul style="list-style-type: none"> Self-attestation; Documentation from juvenile or adult criminal justice system; Documented phone call with court or probation representatives; or WIOA intake or registration form. 	Yes
	Category 5	DRVS 41 (homeless / runaway youth) or DRVS 51 (foster care) <u>DRVS 41 - Homeless individual and/or runaway youth:</u> <ul style="list-style-type: none"> Self-attestation; Written statement from an individual providing residence, shelter or social service agency; or WIOA intake or registration form <u>DRVS 51 - Foster Care Youth:</u> <ul style="list-style-type: none"> Written confirmation from social services agency, or Case notes 	Yes (only for 41)
	Category 6	<u>DRVS 48 – Pregnant or Parenting Youth:</u> <ul style="list-style-type: none"> Self- attestation; Copy of child’s birth certificate; Baptismal record; Observation of pregnancy status; or Doctor’s note confirming pregnancy. 	Yes
	Category 7	DRVS 49 (refer to list below)	Yes
	Category 8	<u>DRVS 49 - Youth who needs additional assistance:</u> <ul style="list-style-type: none"> Self- attestation; 	Yes

		<ul style="list-style-type: none"> • Individual service strategy; • Case notes; • WIOA intake or registration form; • State MIS 	
Youth Program – In-School	Category 1	<u>DRVS 50 - Basic literacy skills deficiency:</u> <ul style="list-style-type: none"> • Standardized assessment test; • School records; or • Case notes 	No
	Category 2	DRVS 50 (refer to list above)	Yes
	Category 3	<u>DRVS 42 - Offender:</u> <ul style="list-style-type: none"> • Self-attestation; • Documentation from juvenile or adult criminal justice system; • Documented phone call with court or probation representatives; or • WIOA intake or registration form. 	Yes
	Category 4	DRVS 41 (homeless / runaway youth) or DRVS 51 (foster care) <u>DRVS 41 - Homeless individual and/or runaway youth:</u> <ul style="list-style-type: none"> • Self-attestation; • Written statement from an individual providing residence, shelter or social service agency; or • WIOA intake or registration form <u>DRVS 51 - Foster Care Youth:</u> <ul style="list-style-type: none"> • Written confirmation from social services agency, or • Case notes 	Yes (only for 41)
	Category 5	<u>DRVS 48 – Pregnant or Parenting Youth:</u> <ul style="list-style-type: none"> • Self- attestation; • Copy of child's birth certificate; • Baptismal record; • Observation of pregnancy status; or • Doctor's note confirming pregnancy. 	Yes
	Category 6	DRVS 49 (refer to list below)	Yes
	Category 7	<u>DRVS 49 - Youth who needs additional assistance:</u> <ul style="list-style-type: none"> • Self- attestation; • Individual service strategy; • Case notes; • WIOA intake or registration form; or 	Yes

		<ul style="list-style-type: none"> State MIS 	
Dislocated Worker Program	Category 1	<u>DRVS 47 - Date of Actual Qualifying Dislocation:</u> <ul style="list-style-type: none"> Self-attestation; Verification from employer; Rapid Response list; Notice of layoff; or Public announcement with cross-match with UI (WIA001 Report) 	Yes
	Category 2	DRVS 47 (refer to list above)	Yes
	Category 3	DRVS 47 (refer to list above)	Yes
	Category 4	<u>DRVS 46 - Displaced Homemaker:</u> <ul style="list-style-type: none"> Self-attestation; Public assistance records; Court records; Divorce Papers; Bank records; Spouse's layoff notice; or Spouse's death record 	Yes
	Category 5	DRVS 47 ⁴ (refer to list above) or a DD-214	Yes
	Category 6	DRVS 47 (refer to list above)	Yes

¹ Refer to Section 5.2 and [TEGL 11-11 Change 2](#) for additional guidance on determining whether or not failure to register was knowing / willful.

² Selective Service Registration applies to youth who are 18 years of age or older, either at the time of enrollment or during participation (Refer to [Section 5.2](#)).

³ Income as an eligibility requirement for the Adult program is determined by the LWDB in alignment with Section ii.b of this attachment. Income as an eligibility requirement for youth does not apply to youth enrolled in the 5% window.

⁴ Per Section 4.2, transitioning service members may qualify under the Dislocated Worker program even if a DD-214 has not yet been obtained. While these individuals may be *eligible* to receive WIOA Dislocated Worker services and funds, they would not be considered 'veterans' for the purposes of DOL reporting.

7. Self-Attestation Forms

You can download the Adult & DW Self-Attestation form [here](#).

WIOA Title I Adult & DW Self-Attestation Form

Applicant Information:

Last Name:	First Name:	Middle Initial:
Address:	City:	State:
		Zip:

Individuals entering WIOA services may self-attest to the information below:

- Are you low-income? (please explain below)
1. **Note: LWDBs make local determinations regarding income verification and what is included or excluded as income (Policy 1019 Sec. 3.d - Local Responsibilities).** Yes ☐ No ☐

Explanation:

2. Are you legally entitled to employment within the U.S. and territories? (Adult and DW) Yes ☐ No ☐
3. Have you been terminated, laid off, or received a notice of termination or layoff? (DW Categories 1 and 2) Yes ☐ No ☐
4. Are you a military service member who was discharged or released from service (under conditions other than dishonorable) or has received a notice of military separation? (DW Category 5) Yes ☐ No ☐
5. Were you unable to continue employment due to your spouse's permanent change of military station, or did you lose employment as a result of your spouse's discharge from the military? (DW Category 6) Yes ☐ No ☐
6. Were you self-employed, but are unemployed as a result of general economic conditions in the community in which you reside? (DW Category 3) Yes ☐ No ☐
7. Are you a displaced homemaker? (DW Category 4)
Note: A displaced homemaker is an individual who was dependent on the income of another family member and is no longer supported by the income of another family member. Yes ☐ No ☐

Dislocation Information

Current Employment Information

Date	Separation Date (if known):	Start Date:
Job Title		
Business Name		
Address		
City, State, Zip		

Self-Attestation Statement:

I certify that the information provided on this document is true and accurate to the best of my knowledge and belief. I understand that such information is subject to verification and further understand that the above information, if misrepresented or incomplete, may be grounds for immediate termination from any WIOA program and/or penalties as specified by law.

SIGNATURE OF PARTICIPANT**DATE****X****Staff Verification Statement:**

I certify that the individual whose signature appears above provided the information recorded on this form.

SIGNATURE OF STAFF**DATE****X**

You can download this Youth Self-Attestation form [here](#).

WIOA Title I Youth Self-Attestation Form

Applicant Information:

Last Name:	First Name:	Middle Initial:
Address:	City:	State:
		Zip:

Individuals entering WIOA services may self-attest to the information below:

Are you low-income? (please explain below)

1. **Note: LWDBs make local determinations regarding income verification and what is included or excluded as income (Policy 1019 Sec. 3.d - Local Responsibilities).** Yes ☐ No ☐

Explanation:

2. Are you legally entitled to employment within the U.S. and territories? Yes ☐ No ☐

3. Have you dropped out of school? Yes ☐ No ☐

4. Are you homeless or did you run away from home? Yes ☐ No ☐

5. Are you pregnant or currently parenting a child? Yes ☐ No ☐

6. Are you an offender? Yes ☐ No ☐

7. **Locally established criteria for "Requires Additional Assistance" may allow for self-attestation (includes individuals with disabilities).** Yes ☐ No ☐

8. Are you one or more grade levels below the appropriate grade level for your age? (Only applies to the 5% not meeting the low income criteria) Yes ☐ No ☐

Self-Attestation Statement:

I certify that the information provided on this document is true and accurate to the best of my knowledge and belief. I understand that such information is subject to verification and further understand that the above information, if misrepresented or incomplete, may be grounds for immediate termination from any WIOA program and/or penalties as specified by law.

SIGNATURE OF PARTICIPANT

DATE

X

Staff Verification Statement:

I certify that the individual whose signature appears above provided the information recorded on this form.

SIGNATURE OF STAFF

DATE

X

8. Samples of Includable and Excludable Income

The information below is meant to provide LWDBs with samples of includable and excludable income to assist with local determinations, not to prescribe a set of includable and excludable income. To maintain flexibility as allowed by WIOA, ESD will not mandate the types of income that should be included or excluded beyond what is prescribed at WIOA Section 3(36). The information was taken from Indiana, Ohio, and Florida, and the content was re-arranged to better reflect the alignment and gaps between the lists.

Included Income Samples			
	<u>Indiana (2012)</u>	<u>Ohio (Undated)</u>	<u>Florida (2010)</u>
1.	Gross wages and salaries before deductions. Total money earnings received from work performed as an employee. If a family's only source of income was from wages and salary payments, family income would be equal to gross wages and salary received.	Wages and salaries before any deductions, including wages earned while in OJT, on reserve duty in the Armed Forces, and severance pay.	Wages and salaries before any deductions.
2.	Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership after deductions for business expenses). If the business or enterprise has suffered a loss, this loss will be allowed to off-set wage earnings.	Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership after deductions for business expenses).	Net receipts from self-employment (receipts from an individual's unincorporated business, partnership, or farm that one operates as an owner, renter, or sharecropper, after deductions for business/farm expenses).
3.	Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses). If the farm has suffered a loss, this loss will be allowed to off-set wage earnings.	Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses).	N/A (see #2).
4.	Regular payments from railroad retirement benefits, strike benefits from union funds, worker's compensation, and training stipends.	Regular payments from strike benefits from union funds, worker's compensation, training stipends.	Strike benefits from union funds.
5.	Alimony.	Alimony.	Alimony.

6.	Military family allotments or other regular support from an absent family member or someone not living in the household, except child support payments and military payments indicated below which are excluded from family income calculations.	Military family allotments or regular support (other than child support) from an absent family member or someone not living in the household.	Other support from an absent family member not living in the household.
7.	Pensions whether private or government employee (including military retirement pay).	Payments from pension and retirement systems including private, government, railroad, and military retirement pay.	Pension or retirement income (including military retirement pay and annuity payments from IRAs, KEOUGHS, 401(k) plans, etc.).
8.	Regular insurance or annuity payments received by the individual or family member.	Regular insurance or annuity payments.	N/A (see #3).
9.	College or university grants or scholarships based on merit, fellowships, and assistantships.	College or university grants, fellowships, and assistantships (other than needs-based scholarships).	Educational Assistance and training stipends (but see excluded income below).
10.	Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.	Dividends and interest, net rental income, or net royalties and/or periodic receipts from estates and trusts.	Net rental income, interest, dividends, royalties, or periodic receipts from estates, trusts (but see excluded income below).
N/A (see #10)	Net gambling or lottery winnings.	Other miscellaneous sources of revenue considered as reportable income by the IRS (net gambling or lottery winnings, etc.).	N/A (see #10).
11.	On-the-Job Training wages.	N/A	N/A
12.	Social Security Disability (SSDI) Insurance payments (Title II of the Social Security Act, Federal Old-Age, Survivors and Disability Insurance). SSDI pays benefits to individuals that have worked in the past, paid Social Security taxes, and are currently unable to work for a year or more because of a disability. SSDI is considered income replacement.	Regular payments from Social Security Disability Insurance (SSDI).	N/A
Excluded Income Samples			
1.	State and federal unemployment insurance compensation.	Unemployment compensation.	Unemployment compensation.

2.	Regular payments from Old-Age, Survivors, and Disability Insurance (OASI) benefits received under Section 202 of the Social Security Act.	Old age and survivors insurance benefits received under Title II of the Social Security Act	Social security benefits (old age, survivors, disability)
3.	Supplemental Security Income (SSI), Title XVI of the Social Security Act, for the Aged, Blind, and Disabled. SSI is an income supplement program funded by general tax revenues and pays benefits based on financial need (not Social Security taxes). SSI is designed to help aged, blind, and disabled people who have little or no income and provides cash to meet basic needs for food, clothing, and shelter.	Supplemental Security Income (SSI) from SSA.	Public cash assistance (e.g., TANF, emergency assistance, general relief, supplemental security income (SSI)).
4.	Needs-based scholarship assistance, and financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants, Federal Supplemental Educational Opportunity Grants and Federal Work Study, PLUS (Stafford and Perkins loans, like any other kind of loans, are debt and not income).	Needs-Based scholarship assistance, and financial assistance under Title IV of the Higher Education Act (i.e., Pell Grants Federal Supplemental Educational Opportunity Grants and Federal Work Study. Stafford and Perkins loans like any other kind of loan are debt and not income).	Financial aid under Title IV of the Higher Education Act, e.g., PELL Grants, Supplemental Educational Opportunity Grants (SEOG), Federal Work Study as well as needs-based scholarships.
5.	Child support payments.	Child support payments, including foster care payments and adoption subsidies.	Child support, including foster child payments.
6.	Non-cash benefits such as employer-paid or union-paid portion or health insurance or other employee fringe benefits, Medicare, Medicaid, food stamps, school meals, food or housing received in lieu of wages, and housing assistance.	Non-cash benefits such as employer paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, Food Stamps, school meals, fuel or other housing assistance.	Noncash benefits (e.g., employer-funded insurance, housing, food stamps, housing assistance, school meals, Medicare, Medicaid).
7.	Allowance, earnings, and payments made to individuals participating in WIA programs or any other workforce development program for which eligibility is based upon a needs and/or income test.	Wages earned by WIOA participants while in WIOA programs (except OJT participants).	Training stipends under WIOA except that OJT assistance is included as part of wages and salaries.

8.	Certain one-time cash payments including: tax refunds; one-time gifts; loans, which are debt and not income; assets from the sale of a home, property, or car; one-time insurance settlements; lump sum inheritances; one-time compensation for injury; etc.	Tax refunds, gifts, loans, lump-sum inheritances, onetime insurance payments, or compensation for injury.	Tax refunds, gifts, loans, and other one-time unearned income such as, but not limited to: <ul style="list-style-type: none"> i) payments received for a limited fixed term under income maintenance programs and supplemental (private) unemployment benefits plans; ii) one-time or fixed-term scholarship and fellowship grants; iii) accident, health, and casualty insurance proceeds; iv) disability and death payments, including fixed term (but not lifetime) life insurance annuities and death benefits; v) one-time awards and gifts; vi) inheritance, including fixed term annuities; and vii) fixed-term workers compensation awards.
9.	Capital gains and losses.	Capital gains.	Capital gains
10.	Assets drawn down as withdrawals from a bank and IRA withdrawals.	Any assets drawn down as withdrawals from a bank, sale of property, a house or a car.	Assets drawn down as withdrawals from a bank, sale of property.
11.	Income earned while a veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, family compensation for service-connected death, vocational rehabilitation, and education assistance.	Pay and allowances received under U.S.C. Titles 37 and 38, pay and allowances received while serving on active military duty, compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, education assistance, and active duty pay for reservists called to active military duty.	Military pay and allowances received by a family member on active duty (includes service while active in the National Guard or Reserves).

12.	Cash welfare payments under a federal, state, or local income-based public assistance program (e.g., Temporary Assistance for Needy Families (TANF), Emergency assistance money payments, Refugee Cash Assistance (P.L. 97-212)).	Cash payments under a Federal, State, or local income based public assistance program such as: a. Ohio Works First (OWF) cash payments b. Prevention, Retention & Contingency (PRC) c. Disability Assistance d. Refugee Cash Assistance.	N/A
13.	Cash payments received under Title V of the Older American's Act.	N/A	Wages paid through the Senior Community Service Employment Program funded under Title V of the Older Americans Act.
14.	Payments received under the Trade Readjustment Act of 1974.	N/A	Trade Readjustment Allowances.
15.	Job Corps payments.	N/A	N/A
16.	U. S. Housing and Urban Development (HUD) rental assistance subsidies.	N/A	N/A
17.	Stipends received in the following programs: VISTA, Peace Corps, Foster Grandparent Program, YouthWorks/AmeriCorps Programs, and Retired Senior Volunteer Program.	N/A	N/A
18.	Subsidies for child care made on behalf of a family participating in the child care voucher program administered by the county Step Ahead Council.	N/A	N/A
19.	General Assistance.	N/A	N/A
20.	Foster child care payments.	N/A	N/A

21.	N/A.	N/A.	Periodic receipts from a Supplemental Needs Trust, i.e. a type of special needs trust which complies with provisions of U.S. state and federal law and is designed to provide benefits to, and protect the assets of, physically disabled or mentally disabled persons while still allowing such persons to be qualified for and receive governmental care benefits under SSI, SSDI, and/or Medicaid.
22.	N/A	N/A	Educational benefits for veterans and other eligible persons.
23.	N/A	N/A	When a federal statute specifically provides that income or payments received under the statute shall be excluded in determining eligibility for the level of benefits received under any other federal statute, such income or payments shall be excluded in WIOA eligibility determination.